

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**FILED UNDER SEAL**

UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIMINAL NO. 13-10200-GAO
	)	
DZHOKHAR TSARNAEV	)	

**SUPPLEMENTAL MEMORANDUM IN OPPOSITION TO GOVERNMENT'S  
MOTION IN LIMINE TO PRECLUDE  
ANY REFERENCE TO WALTHAM TRIPLE HOMICIDE OR OTHER  
ALLEGED BAD ACTS OF TAMLERAN TSARNAEV**

Defendant, Dzhokhar Tsarnaev, by and through counsel, respectfully submits this supplemental memorandum in opposition to the government's Motion in Limine to Preclude Any Reference to Waltham Triple Homicide or Other Alleged Bad Acts of Tamerlan Tsarnaev. [DE 867 (filed under seal).]

At the motion hearing on April 13, 2014, the Court inquired whether there was any activity on Tamerlan Tsarnaev's laptop computer associated with the Waltham murders that took place on September 11, 2011. Counsel was unaware of any, and on further reflection realized that there could not be any such evidence because Tamerlan's Samsung laptop (1W3), was not initially configured until months later, on December 21, 2011. *See* Trial Exhibit 3308. It is not known what if any computer Tamerlan Tsarnaev principally used in September 2011.

However, review of the internet search history on Katherine Tsarnaeva's MacBook Pro computer reveals the following activity approximately one week after the murders:

<u>Date (UTC)</u>	<u>Search Term</u>
9/18/11 14:04	3 men killed in waltham
9/19/11 05:15	men killed in waltham
9/19/11 05:18	tamerlan tsarnaev

*See* Ex. A (excerpt of search history, attached).

This activity provides additional circumstantial evidence of a connection between Tamerlan Tsarnaev and the Waltham homicides, whether the searches were conducted by Katherine Tsarnaeva or Tamerlan Tsarnaev himself.

Respectfully submitted,

DZHOKHAR TSARNAEV  
by his attorneys



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